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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/040,560	03/18/1998	HIDEAKI SHINOTSUKA	SONY-8400	1970
29175	7590	06/16/2005		
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			EXAMINER TRAN, HAI V	
			ART UNIT 2611	PAPER NUMBER

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/040,560

Applicant(s)

SHINOTSUKA, HIDEAKI

Examiner

Hai Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) 7-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>05/19/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 01/26/2005 have been fully considered but they are not persuasive.

Applicant argues, "Chambers at least fails to disclose a broadcast manager for broadcasting generated messages having unspecified destinations to the network as directed by the event manager. Messages generated by an object are delivered by exchanging the messages with the event manager in a one-to-one communication." The Applicant further argues, "...clearly, this suggests that the broadcast message in Chambers is sent and received by the network and/or the nodes. However, this fails to disclose or suggest a broadcast manager would transmit and/or receive messages from a device, a network and an event manger. Moreover, nowhere in Chambers is a broadcast manager disclosed or even suggested."

In response, the examiner agrees with Applicant that nowhere in Chambers is a broadcast manager is disclosed, but it does not mean that Chamber does not have a broadcast manager. As indicated in the previous office action (see page 3), Chambers inherently must have a "broadcast manager" in order to broadcast messages having unspecified destinations to the network as directed by the event manager and wherein the message generated by the object are delivered by exchanging the message with the event manager in a one-to-one communication (Col. 10, lines 47-Col. 11, lines 50). Furthermore, Applicant admits that "the broadcast message in Chambers is sent and received by the network and/or the nodes", see applicant argument. This admission of

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fact clearly concurs with Examiner assertion that Chambers inherently must have a broadcast manager, see previous office action, page 3, and nevertheless, Applicant argues that Chambers does not disclose a broadcast manager. Again, the Examiner asserts that Chambers inherently must have a broadcast message.

For at least the reason set forth above, the rejection is maintained.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-6 have been rejected under 35 U.S.C. 102(e) as being unpatentable by Chambers et al. (US 5959536).

Claim 1, Chambers discloses an information signal device connected to a network (Fig. 1), comprising:

at least one object (Messaging) for generating messages concerning events occurring in the information signal device, wherein said messages have specified and unspecified destinations (Col. 8, lines 50-Col. 10, lines 14);

an event manager for directing the messages generated by the at least one object to destinations inside and outside the information signal device (Col. 10, lines 15-49);

a network messenger (Communications) for transmitting generated messages to a specified destination on the network directed by the event manager (Col. 10, lines 50-Col. 11, lines 50);

a broadcast manager (must have in order to broadcast messages; (Col. 10, lines 47-Col. 11, lines 56) for broadcasting the generated messages having unspecified destinations to the network as directed by the event manager, and wherein the messages generated by the object are delivered by exchanging the messages with the event manager in a one-to-one communication, and wherein the at least one object does not discriminate whether the destinations of the messages are outside or inside the information signal device (Col. 11, lines 50-Col. 12, lines 34).

Claim 2, Chamber further discloses wherein the broadcast manager broadcasts each message with reference information attached thereto, the reference information changing according to a predetermined sequence at each message broadcasting, and holds the broadcast messages and transmits the held messages in response to a transmission request from the event manager (Col. 10, lines 27-49).

Claim 3; Chamber further discloses wherein the broadcast manager also receives broadcast messages from the network, and recognizes a change in reference information attached to the a broadcast message received from the network, and requests a sender of the broadcast message to retransmit the message in response to a result of the recognition (Errors, Col. 9, lines 35-55).

Claim 4, Chamber further discloses wherein the broadcast manager broadcasts, in a predetermined repetition period, verification information having a predetermined relationship with the reference information (Col. 11, lines 55-Col. 12, lines 15).

Claim 5, Chamber further discloses wherein the broadcast manager deletes the held message at a moment a duration longer than twice the predetermined repetition period elapses (by putting the messages on an internal queues... Col. 9, lines 5-Col. 10, lines 14).

Claim 6, Chamber further discloses wherein the broadcast manager receives broadcast messages from the network, and also receives verification information transmitted to the network, and requests a device, which has transmitted the verification information, to transmit the message when there is no predetermined relationship between the received verification information and the reference information attached to the received message (Col. 12, lines 5-65+ and Col. 13, lines 60-28).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is (571) 272-7305. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher C. Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HT:ht
06/10/2005

A handwritten signature in black ink, appearing to read 'Hai Tran', with a horizontal line drawn through it.

**HAI TRAN
PRIMARY EXAMINER**